

IN RE: REALPAGE, INC., RENTAL	)	Case No. 3:23-md-3071
SOFTWARE ANTITRUST LITIGATION	)	MDL No. 3071
(NO. II)	)	
	)	JURY DEMAND
	)	
	)	Chief Judge Waverly D. Crenshaw, Jr.
	)	
	)	This Document Relates to:
	)	ALL CASES

WHEREAS, on April 19, 2023, the Court entered an Order addressing interim measures, and granting all Defendants an extension of time to respond by motion or answers to the complaints in this MDL proceeding, until a date set at a subsequent status conference (Dkt. 3);

WHEREAS, the Court held another status conference on August 7, 2023, ordering Plaintiffs to file amended complaints by September 7, 2023, and Defendants' responses due October 9, 2023 (Minute Entry, Aug. 7, 2023; Dkts. 495, 543);

WHEREAS, on December 11, 2023, the Court held a hearing on (1) Defendants’ Omnibus Motion to Dismiss Multifamily Plaintiffs’ Second Amended Consolidated Class Action Complaint

(Dkt. 592); and (2) Defendants’ Motion to Dismiss Student Plaintiffs’ First Amended Consolidated Class Action Complaint (Dkt. 587);

WHEREAS, on December 28, 2023, the Court entered an Omnibus Order resolving several of Defendants’ motions to dismiss, including Defendants’ Omnibus Motion to Dismiss Multifamily Plaintiffs’ Second Amended Consolidated Class Action Complaint, which was denied (Dkt. 691);

WHEREAS, on January 4, 2024, the Court held a telephonic status conference regarding case management and the timing for Defendants to answer Multifamily Plaintiffs’ Second Amended Consolidated Class Action Complaint following the Court’s Order on Defendants’ motions to dismiss. The Parties agreed that Defendants shall file answers to Multifamily Plaintiffs’ Second Amended Consolidated Class Action Complaint within 30 days from the date of the telephonic status conference on January 4, 2024—which extends to Saturday, February 3, 2024;

WHEREAS, the Parties have conferred and agree that subject to the Court’s approval, Defendants<sup>1</sup> will file their answers to Multifamily Plaintiffs’ Second Amended Consolidated Class Action Complaint on or before Monday, February 5, 2024 to allow Defendants the full 30-days to file answers.

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<sup>1</sup> Defendants Rose Associates Inc., Prometheus Real Estate Group, Inc., and CONTI Texas Organization Inc., d/b/a CONTI Capital believe they are not yet under a deadline to answer due to the pendency of their personal jurisdiction motion and their ongoing meeting and conferring with Plaintiffs, per the Court’s instructions, and have therefore not joined this stipulation. *See* Dkt. 583. Counsel for these Defendants and for Plaintiffs have been in discussions regarding this topic. Defendant Apartment Income REIT Corp. d/b/a AIR Communities also believes it is not yet under a deadline to answer due to the pendency of its motion to dismiss filed January 8, 2024. *See* Dkt. 695, 696.

Accordingly, IT IS HEREBY ORDERED that the undersigned Defendants shall file answers to Multifamily Plaintiffs' Second Amended Consolidated Class Action Complaint on or before February 5, 2024.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_, 2024

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Hon. Waverly D. Crenshaw, Jr.  
Chief Judge, U.S. District Court

Stipulated and Agreed to by:

Dated: January 11, 2024

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld (#26014)

Anthony A. Orlandi (#33988)

**HERZFELD SUETHOLZ GASTEL LENISKI  
AND WALL, PLLC**

223 Rosa L. Parks Avenue, Suite 300

Nashville, TN 37203

Telephone: (615) 800-6225

tricia@hsglawgroup.com

tony@hsglawgroup.com

*Liaison Counsel*

Patrick J. Coughlin

Carmen A. Medici

Fatima Brizuela

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

600 West Broadway, Suite 3300

San Diego, CA 92101

Telephone: (619) 798-5325

Facsimile: (619) 233-0508

pcoughlin@scott-scott.com

cmedici@scott-scott.com

fbrizuela@scott-scott.com

Patrick McGahan

Amanda F. Lawrence

Michael Srodoski

G. Dustin Foster

Isabella De Lisi

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

156 South Main Street

P.O. Box 192

Colchester, CT 06145

Telephone: (860) 537-5537

Facsimile: (860) 537-4432

pmcgahan@scott-scott.com

alawrence@scott-scott.com

msrodoski@scott-scott.com

gfoster@scott-scott.com

idelisi@scott-scott.com

Stacey Slaughter  
Thomas J. Undlin  
Geoffrey H. Kozen  
Stephanie A. Chen  
J. Austin Hurt  
Caitlin E. Keiper  
**ROBINS KAPLAN LLP**  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402  
Telephone: (612) 349-8500  
Facsimile: (612) 339-4181  
sslaughter@robinskaplan.com  
tundlin@robinskaplan.com  
gkozen@robinskaplan.com  
schen@robinskaplan.com  
ahurt@robinskaplan.com  
ckeiper@robinskaplan.com

Swathi Bojedla  
Mandy Boltax  
**HAUSFELD LLP**  
888 16<sup>th</sup> Street, N.W., Suite 300  
Washington, DC 20006  
Telephone: (202) 540-7200  
sbojedla@hausfeld.com  
mboltax@hausfeld.com

Gary I. Smith, Jr.  
Joey Bui  
**HAUSFELD LLP**  
600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
Tel: (415) 633-1908  
gsmith@hausfeld.com  
jbui@hausfeld.com

Katie R. Beran  
**HAUSFELD LLP**  
325 Chestnut Street, Suite 900  
Philadelphia, PA 19106  
Telephone: 1 215 985 3270  
kberan@hausfeld.com

*Interim Co-Lead Counsel*

Eric L. Cramer  
Michaela L. Wallin  
**BERGER MONTAGUE PC**  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Telephone: (215) 875-3000  
ecramer@bm.net  
mwallin@bm.net

Daniel J. Walker  
**BERGER MONTAGUE PC**  
2001 Pennsylvania Avenue, NW, Suite 300  
Washington, DC 20006  
Telephone: (202) 559-9745  
dwalker@bm.net

Brendan P. Glackin  
Dean M. Harvey  
**LIEFF CABRASER HEIMANN & BERNSTEIN, LLP**  
275 Battery Street, Suite 2900  
San Francisco, CA 94111  
Telephone: 415-956-1000  
bglackin@lchb.com  
dharvey@lchb.com

Mark P. Chalos  
Hannah R. Lazarz  
Kenneth S. Byrd  
**LIEFF CABRASER HEIMANN & BERNSTEIN, LLP**  
222 2nd Avenue South, Ste. 1640  
Nashville, TN 37201  
(615) 313-9000  
mchalos@lchb.com  
hlazarz@lchb.com  
kbyrd@lchb.com

Steve W. Berman  
Breanna Van Engelen  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
1301 Second Avenue, Suite 2000  
Seattle, Washington 98101  
Telephone: (206) 623-7292

Christian P. Levis  
Vincent Briganti  
Peter Demato  
Radhika Gupta  
**LOWEY DANNENBERG, P.C.**  
44 South Broadway, Suite 1100  
White Plains, NY 10601  
Telephone: (914) 997-0500  
Facsimile: (914) 997-0035  
vbriganti@lowey.com  
clevis@lowey.com  
pdemato@lowey.com  
rgupta@lowey.com

Christopher M. Burke  
Walter W. Noss  
Yifan (Kate) Lv  
**KOREIN TILLERY P.C.**  
707 Broadway, Suite 1410  
San Diego, CA 92101  
Telephone: (619) 625-5621  
Facsimile (314) 241-3525  
cburke@koreintillery.com  
wnoss@koreintillery.com  
klv@koreintillery.com

**JOSEPH SAVERI LAW FIRM, LLP**  
Joseph R. Saveri  
Steven N. Williams  
Cadio Zirpoli  
Kevin E. Rayhill  
601 California Street, Suite 1000  
San Francisco, CA 94108  
Telephone: (415) 500-6800  
jsaveri@saverilawfirm.com  
swilliams@saverilawfirm.com  
czirpoli@saverilawfirm.com  
krayhill@saverilawfirm.com

Jennifer W. Sprengel  
Daniel O. Herrera  
Alexander Sweatman  
**CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP**  
135 S. LaSalle, Suite 3210  
Chicago, IL 60603

Facsimile: (206) 623-0594  
steve@hbsslaw.com  
breannav@hbsslaw.com

Benjamin J. Widlanski  
Javier A. Lopez

**KOZYAK TROPIN &  
THROCKMORTON LLP**

2525 Ponce de Leon Blvd., 9th Floor  
Coral Gables, Florida 33134  
Telephone: (305) 372-1800  
bwidlanski@kttlaw.com  
jal@kttlaw.com

Telephone: 312-782-4880  
Facsimile: 312-782-4485  
jsprengel@caffertyclobes.com  
dherrera@caffertyclobes.com  
asweatman@caffertyclobes.com

*Plaintiffs' Steering Committee Counsel for Plaintiffs*

/s/ Jay Srinivasan

Jay Srinivasan (admitted *pro hac vice*)  
jsrinivasan@gibsondunn.com  
Daniel G. Swanson (admitted *pro hac vice*)  
dswanson@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
Telephone: (213) 229-7430

Stephen Weissman (admitted *pro hac vice*)  
sweissman@gibsondunn.com  
Michael J. Perry (admitted *pro hac vice*)  
mjerry@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036  
Telephone: (202) 955-8678

Stephen C. Whittaker (admitted *pro hac vice*)  
cwhittaker@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
1361 Michelson Drive  
Irvine, CA 92612  
Telephone: (212) 351-2671

Ben A. Sherwood (admitted *pro hac vice*)  
bsherwood@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, NY 10166  
Telephone: (212) 351-2671

Thomas H. Dundon (SBN: 004539)  
tdundon@nealharwell.com  
NEAL & HARWELL, PLC  
1201 Demonbreun Street, Suite 1000  
Nashville, TN 37203  
Telephone: (615) 244-1713

*Counsel for Defendant RealPage, Inc.*

/s/ Edwin Buffmire

Edwin Buffmire  
ebuffmire@jw.com  
Michael Moran  
mmoran@jw.com  
JACKSON WALKER LLP  
2323 Ross Ave., Suite 600  
Dallas, TX 75201  
Telephone: (214) 953-6000

Kevin Fulton  
kevin@fultonlg.com  
THE FULTON LAW GROUP PLLC  
7676 Hillmont St., Suite 191  
Houston, TX 77040  
Telephone: (713) 589-6964

*Counsel for Defendant Allied Orion Group, LLC*

/s/ Sarah B. Miller

Sarah B. Miller (TN#33441)  
BASS, BERRY & SIMS PLC  
150 Third Ave. South #2800  
Nashville, TN 37201  
Telephone: (615) 742-6200  
smiller@bassberry.com

Amy F. Sorenson (admitted *pro hac vice*)  
SNELL & WILMER, L.L.P.  
15 West South Temple, Ste. 1200  
Salt Lake City, UT 84101  
Telephone: (801) 257-1900  
asorenson@swlaw.com

Colin P. Ahler (admitted *pro hac vice*)  
SNELL & WILMER, L.L.P.  
One East Washington St., Ste. 2700  
Phoenix, AZ 85004  
Telephone: (602) 382-6000  
cahler@swlaw.com

*Counsel for Defendant Apartment Management Consultants, LLC*



*/s/ Danny David*

---

Danny David  
danny.david@bakerbotts.com  
BAKER BOTTS LLP  
910 Louisiana Street  
Houston, TX 77002  
Telephone: (713) 229-4055

James Kress (*pro hac vice* forthcoming)  
james.kress@bakerbotts.com  
Paul Cuomo (*pro hac vice* forthcoming)  
paul.cuomo@bakerbotts.com  
BAKER BOTTS LLP  
700 K. Street, NW  
Washington, DC 20001  
Telephone: (202) 639-7884

John R. Jacobson (#14365)  
jjacobson@rjfirm.com  
Milton S. McGee, III (#24150)  
tmcgee@rjfirm.com  
RILEY & JACOBSON, PLC  
1906 West End Avenue  
Nashville, TN 37203  
Telephone: (615) 320-3700

*Counsel for Defendant Avenue5 Residential,  
LLC*

*/s/ Ian Simmons*

---

Ian Simmons  
isimmons@omm.com  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 383-5196

Stephen McIntyre  
smcintyre@omm.com  
O'MELVENY & MYERS LLP  
400 South Hope Street, 18th Floor  
Los Angeles, CA 90071  
Telephone: (213) 430-6000

*Counsel for Defendants BH Management  
Services, LLC*

/s/ Marguerite Willis

Marguerite Willis (admitted *pro hac vice*)  
mwillis@maynardnexsen.com  
MAYNARD NEXSEN PC  
104 South Main Street  
Greenville, SC 29601  
Telephone: (864) 370-2211

Michael A. Parente (admitted *pro hac vice*)  
mparente@maynardnexsen.com  
MAYNARD NEXSEN PC  
1230 Main Street, Suite 700  
Columbia, SC 29201  
Telephone: (803) 771-8900

Margaret M. Siller (BPR No. 039058)  
msiller@maynardnexsen.com  
MAYNARD NEXSEN PC  
1131 4th Avenue South, Suite 320  
Nashville, TN 37210  
Telephone: (629) 258-2253

*Counsel for Defendant Bell Partners, Inc.*

/s/ Edwin Buffmire

Edwin Buffmire  
ebuffmire@jw.com  
Michael Moran  
mmoran@jw.com  
JACKSON WALKER LLP  
2323 Ross Ave., Suite 600  
Dallas, TX 75201  
Telephone: (214) 953-6000

*Counsel for Defendants Trammell Crow  
Residential Company and Crow Holdings, LP*

/s/ James D. Bragdon

James D. Bragdon  
jbragdon@gejlaw.com  
Sam Cowin  
scowin@gejlaw.com  
GALLAGHER EVELIUS & JONES LLP  
218 N. Charles St., Suite 400  
Baltimore, MD 21201  
Telephone: (410) 727-7702

Philip A. Giordano (admitted *pro hac vice*)  
philip.giordano@hugheshubbard.com  
HUGHES HUBBARD & REED LLP  
1775 I Street NW  
Washington, DC 20007  
Telephone: (202) 721-4776

Charles E. Elder, BPR # 038250  
celder@bradley.com  
BRADLEY ARANTBOULT CUMMINGS LLP  
1600 Division Street, Suite 700  
Nashville, TN 37203  
Telephone: (615) 252-3597

*Counsel for Defendant  
Bozzuto Management Company*

/s/ Yehudah L. Buchweitz

Yehudah L. Buchweitz  
yehudah.buchweitz@weil.com  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, NY 10153  
Telephone: (212) 310-8256

Jeff L. White  
jeff.white@weil.com  
WEIL, GOTSHAL & MANGES LLP  
2001 M Street, NW  
Washington, DC 20036  
Telephone: (202) 682-7059

R. Dale Grimes, BPR #006223  
dgrimes@bassberry.com  
BASS, BERRY & SIMS PLC  
150 Third Avenue South, Suite 2800  
Nashville, TN 37201  
Telephone: (615) 742-6244

E. Steele Clayton IV, BPR #017298  
sclayton@bassberry.com  
BASS, BERRY & SIMS PLC  
150 Third Avenue South, Suite 2800  
Nashville, TN 37201  
Telephone: (615) 742-6205

*Counsel for Defendant Brookfield Properties  
Multifamily LLC*

/s/ Danielle R. Foley

Danielle R. Foley (admitted *pro hac vice*)  
drfoley@venable.com  
Andrew B. Dickson (admitted *pro hac vice*)  
abdickson@venable.com  
Victoria L. Glover (admitted *pro hac vice*)  
VENABLE LLP  
600 Massachusetts Avenue, NW  
Washington, D.C. 20001  
Telephone: (202) 344-4300

*Counsel for Defendant CH Real Estate  
Services, LLC*

/s/ Benjamin R. Nagin

Benjamin R. Nagin  
bnagin@sidley.com  
SIDLEY AUSTIN LLP  
787 Seventh Avenue  
New York, NY 10019  
Telephone: (212) 839-5300

*Counsel for Defendant ConAm Management  
Corporation*

/s/ Todd R. Seelman

Todd R. Seelman  
todd.seelman@lewisbrisbois.com  
Thomas L. Dyer  
thomas.dyer@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
1700 Lincoln Street, Suite 4000  
Denver, CO 80203  
Telephone: (720) 292-2002

*Counsel for Defendant Cortland Management,  
LLC*

/s/ Lynn H. Murray

Lynn H. Murray  
lhmurray@shb.com  
Maveric Ray Searle  
msearle@shb.com  
SHOOK, HARDY & BACON L.L.P.  
111 S. Wacker Dr., Suite 4700  
Chicago, IL 60606  
Telephone: (312) 704-7766

Ryan Sandrock  
rsandrock@shb.com  
SHOOK, HARDY & BACON L.L.P.  
555 Mission Street, Suite 2300  
San Francisco, CA 94105  
Telephone: (415) 544-1944

Laurie A. Novion  
lnovion@shb.com  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108  
Telephone: (816) 559-2352

*Counsel for Defendant Camden Property Trust*

/s/ Kenneth Reinker

Kenneth Reinker  
kreinker@cgsh.com  
CLEARY GOTTLIEB STEEN & HAMILTON LLP  
2112 Pennsylvania Avenue, NW  
Washington, DC 20037  
Telephone: (202) 974-1522

Joseph M. Kay  
jkay@cgsh.com  
CLEARY GOTTLIEB STEEN & HAMILTON LLP  
One Liberty Plaza  
New York, NY 10006  
Telephone: (212) 225-2745

*Counsel for Defendant Pinnacle Property  
Management Services, LLC*

/s/ Ann MacDonald

Ann MacDonald  
Ann.macdonald@afslaw.com  
Barry Hyman  
Barry.hyman@afslaw.com  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, IL 60606  
Telephone: (312) 258-5500

*Counsel for Defendant CWS Apartment Homes,  
LLC*

/s/ Bradley C. Weber

Bradley C. Weber (admitted *pro hac vice*)  
bweber@lockelord.com  
LOCKE LORD LLP  
2200 Ross Avenue, Suite 2800  
Dallas, TX 75201  
Telephone: (214) 740-8497

*Counsel for Defendant Dayrise Residential,  
LLC*

/s/ Charles H. Samel

Charles H. Samel  
charles.samel@stoel.com  
Edward C. Duckers  
ed.duckers@stoel.com  
STOEL RIVES LLP  
1 Montgomery Street, Suite 3230  
San Francisco, CA 94104  
Telephone: (415) 617-8900

George A. Guthrie  
gguthrie@wilkefleury.com  
WILKE FLEURY LLP  
621 Capitol Mall, Suite 900  
Sacramento, CA 95814  
Telephone: (916) 441-2430

*Counsel for Defendant FPI Management, Inc.*

/s/ Carl W. Hittinger

Carl W. Hittinger  
chittinger@bakerlaw.com  
Alyse F. Stach  
astach@bakerlaw.com  
Tyson Y. Herrold  
therrold@bakerlaw.com  
BAKER & HOSTETLER LLP  
1735 Market Street, Suite 3300  
Philadelphia, PA 19103-7501  
Telephone: (215) 568-3100

Stephen J. Zralek, BPR #018971  
szralek@spencerfane.com  
S. Chase Fann, BPR #036794  
cfann@spencerfane.com  
SPENCER FANE LLP  
511 Union Street, Suite 1000  
Nashville, TN 37219  
Telephone: (615) 238-6300

*Counsel for Defendant Equity Residential*

/s/ Leo D. Caseria

Leo D. Caseria  
lcaseria@sheppardmullin.com  
Helen C. Eckert  
heckert@sheppardmullin.com  
SHEPPARD MULLIN RICHTER & HAMPTON LLP  
2099 Pennsylvania Avenue, NW, Suite 100  
Washington, DC, 20006  
Telephone: (202) 747-1925

Arman Oruc  
aoruc@goodwinlaw.com  
GOODWIN PROCTER, LLP  
1900 N Street, NW  
Washington, DC 20036  
Telephone: (202) 346-4000

*Counsel for Defendant Essex Property Trust, Inc.*

/s/ Michael D. Bonanno

Michael D. Bonanno (admitted *pro hac vice*)  
mikebonanno@quinnemanuel.com  
QUINN EMANUEL URQUHART & SULLIVAN LLP  
1300 I St. NW, Suite 900  
Washington, DC 20005  
Telephone: (202) 538-8225

Christopher Daniel Kercher (admitted *pro hac vice*)  
christopherkercher@quinnemanuel.com  
QUINN EMANUEL URQUHART & SULLIVAN LLP  
51 Madison Avenue, 22nd Floor,  
New York, New York 10010  
Telephone: (212) 849-7000

Andrew Gardella, Esq. (TN Bar #027247)  
agardella@martintate.com  
MARTIN, TATE, MORROW & MARSTON P.C.  
315 Deaderick Street, Suite 1550  
Nashville, TN 37238  
Telephone: (615) 627-0668

*Counsel for Defendant Highmark Residential, LLC*

/s/ Cliff A. Wade

Cliff A. Wade  
cliff.wade@bakerlopez.com  
Chelsea L. Futrell  
chelsea.futrell@bakerlopez.com  
BAKER LOPEZ PLLC  
5728 LBJ Freeway, Suite 150  
Dallas, Texas 75240  
Telephone: (469) 206-9384

*Counsel for Defendant Knightvest Residential*

/s/ Michael M. Maddigan

Michael M. Maddigan  
michael.maddigan@hoganlovells.com  
HOGAN LOVELLS US LLP  
1999 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: (310) 785-4727

William L. Monts, III  
william.monts@hoganlovells.com  
Benjamin F. Holt  
benjamin.holt@hoganlovells.com  
HOGAN LOVELLS US LLP  
555 Thirteenth Street, NW  
Washington, DC 20004  
Telephone: (202) 637-6440

Joshua C. Cumby (BPR No. 37949)  
joshua.cumby@arlaw.com  
F. Laurens Brock (BPR No. 17666)  
larry.brock@arlaw.com  
Rocklan W. King, III (BPR No. 30643)  
rocky.king@arlaw.com  
ADAMS AND REESE LLP  
1600 West End Avenue, Suite 1400  
Nashville, TN 37203  
Telephone: (615) 259-1450

*Counsel for Defendant Greystar Management Services, LLC*

/s/ Gregory J. Casas

Gregory J. Casas (admitted *pro hac vice*)  
casasg@gtlaw.com  
Emily W. Collins (admitted *pro hac vice*)  
Emily.Collins@gtlaw.com  
GREENBERG TRAURIG, LLP  
300 West 6th Street, Suite 2050  
Austin, TX 78701-4052  
Telephone: (512) 320-7200

Robert J. Herrington (admitted *pro hac vice*)  
Robert.Herrington@gtlaw.com  
GREENBERG TRAURIG, LLP  
1840 Century Park East, Suite 1900  
Los Angeles, CA 90067  
Telephone: (310) 586-7700

Becky L. Caruso (admitted *pro hac vice*)  
Becky.Caruso@gtlaw.com  
GREENBERG TRAURIG, LLP  
500 Campus Drive, Suite 400  
Florham Park, NJ 07932  
Telephone: (973) 443-3252

/s/ Ryan T. Holt

Ryan T. Holt (No. 30191)  
rholt@srvhlaw.com  
Mark Alexander Carver (No. 36754)  
acarver@srvhlaw.com  
SHERRARD ROE VOIGT & HARBISON, PLC  
150 Third Avenue South, Suite 1100  
Nashville, TN 37201  
Telephone: (615) 742-4200

*Counsel for Defendant Lincoln Property  
Company*

/s/ John J. Sullivan

John J. Sullivan (admitted *pro hac vice*)  
jsullivan@cozen.com  
COZEN O'CONNOR P.C.  
3 WTC, 175 Greenwich St., 55th Floor  
New York, NY 10007  
Telephone: (212) 453-3729

Thomas Ingalls (admitted *pro hac vice*)  
tingalls@cozen.com  
COZEN O'CONNOR P.C.  
1200 19th St. NW, Suite 300  
Washington, DC 20036  
Telephone: (202) 471-3411

Robert S. Clark (admitted *pro hac vice*)  
robertclark@cozen.com  
COZEN O'CONNOR P.C.  
1650 Market Street, Suite 2800  
Philadelphia, PA 19103  
Telephone: (215) 665-2041

*Counsel for Defendant Independence Realty  
Trust, Inc.*

/s/ Eliot Turner

Eliot Turner  
eliot.turner@nortonrosefulbright.com  
NORTON ROSE FULBRIGHT US LLP  
1301 McKinney, Suite 5100,  
Houston, TX 77010  
Telephone: (713) 651-5151

*Counsel for Defendant Kairoi Management,  
LLC*



/s/ Michael W. Scarborough

Michael W. Scarborough (admitted *pro hac vice*)

mscarborough@velaw.com

Dylan I. Ballard (admitted *pro hac vice*)

dballard@velaw.com

VINSON & ELKINS LLP

555 Mission Street, Suite 2000

San Francisco, CA 94105

Telephone: (415) 979-6900

*Counsel for Defendant Lantower Luxury  
Living, LLC*

/s/ Britt M. Miller

Britt M. Miller (admitted *pro hac vice*)

bmillerr@mayerbrown.com

Daniel T. Fenske (admitted *pro hac vice*)

dfenske@mayerbrown.com

Matthew D. Provance (admitted *pro hac vice*)

mprovance@mayerbrown.com

MAYER BROWN LLP

71 South Wacker Drive

Chicago, IL 6006

Telephone: (312) 701-8663

Scott D. Carey (#15406)

scarey@bakerdonelson.com

Ryan P. Loofbourrow (#33414)

rloofbourrow@bakerdonelson.com

BAKER, DONELSON, BEARMAN, CALDWELL &  
BERKOWITZ, P.C.

1600 West End Avenue, Suite 2000

Nashville, TN 37203

Telephone: (615) 726-5600

*Counsel for Defendants Mid-America  
Apartment Communities, Inc. and Mid-America  
Apartments, L.P.*

/s/ Jeffrey C. Bank

Jeffrey C. Bank  
jbank@wsgr.com  
WILSON SONSINI GOODRICH & ROSATI PC  
1700 K Street NW, Fifth Floor  
Washington, DC 20006  
Telephone: (202) 973-8800

Rachael Racine  
rracine@wsgr.com  
WILSON SONSINI GOODRICH & ROSATI PC  
1301 Avenue of the Americas, 40th Floor  
New York, NY 10019  
Telephone: (212) 453-2857

*Counsel for Defendant Morgan Properties  
Management Company, LLC*

/s/ Richard P. Sybert

Richard P. Sybert (WSBA No. 8357)  
rsybert@grsm.com  
GORDON REES SCULLY MANSUKHANI  
701 Fifth Avenue, Suite 2100  
Seattle, WA 98104  
Telephone: (206) 321-5222

*Counsel for Defendant First Communities  
Management, Inc.*

/s/ Valentine Hoy

Valentine Hoy  
vhoy@allenmatkins.com  
Scott Perlin  
sperlin@allenmatkins.com  
ALLEN MATKINS LECK GAMBLE MALLORY &  
NATSIS  
600 West Broadway, 27th Floor  
San Diego, CA 92101  
Telephone: (619) 233-1155

Patrick E. Breen  
pbreen@allenmatkins.com  
ALLEN MATKINS LECK GAMBLE MALLORY &  
NATSIS  
865 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017  
Telephone: (213) 622-5555

*Counsel for Defendant Sares Regis Group  
Commercial, Inc.*

/s/ Jose Dino Vasquez

Jose Dino Vasquez  
dvasquez@karrtuttle.com  
Jason Hoeft  
jhoeft@karrtuttle.com  
KARR TUTTLE CAMPBELL  
701 Fifth Avenue, Suite 3300  
Seattle, WA 98104  
Telephone: (206) 223-1313

*Counsel for Defendant Security Properties  
Residential, LLC*

/s/ David A. Walton

David A. Walton  
dwalton@bellnunnally.com  
Troy Lee (T.J.) Hales  
thales@bellnunnally.com  
BELL NUNNALLY & MARTIN, LLP  
2323 Ross Avenue, Suite 1900  
Dallas, TX 75201

*Counsel for Defendant RPM Living, LLC*

/s/ Diane R. Hazel

Diane R. Hazel  
dhazel@foley.com  
FOLEY & LARDNER LLP  
1400 16th Street, Suite 200  
Denver, CO 80202  
Telephone: (720) 437-2000

Elizabeth A. N. Haas (admitted *pro hac vice*)  
ehaas@foley.com  
Ian Hampton (admitted *pro hac vice*)  
ihampton@foley.com  
FOLEY & LARDNER LLP  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
Telephone: (414) 271-2400

Tara L. Swafford, BPR #17577  
tara@swaffordlawfirm.com  
Dylan Harper, BPR #36820  
dylan@swaffordlawfirm.com  
THE SWAFFORD LAW FIRM, PLLC  
321 Billingsly Court, Suite 19  
Franklin, Tennessee 37067  
Telephone: (615) 599-8406

*Counsel for Defendant Sherman Associates,  
Inc.*

/s/ Brent Justus

Brent Justus  
bjustus@mcguirewoods.com  
Nick Giles  
ngiles@mcguirewoods.com  
McGUIREWOODS LLP  
800 East Canal Street  
Richmond, VA 23219-3916  
Telephone: (804) 775-1000

*Counsel for Defendant Simpson Property  
Group, LLC*

/s/ Yonaton Rosenzweig

Yonaton Rosenzweig  
yonirosenzweig@dwt.com  
DAVIS WRIGHT TREMAINE LLP  
865 S. Figueroa Street, Suite 2400  
Los Angeles, CA 90017  
Telephone: (212) 633-6800

Fred B. Burnside  
fredburnside@dwt.com  
MaryAnn T. Almeida  
maryannalmeida@dwt.com  
DAVIS WRIGHT TREMAINE LLP  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104  
Telephone: (206) 757-8016

*Counsel for Defendant Mission Rock  
Residential, LLC*

/s/ Andrew Harris

Andrew Harris  
Andrew.Harris@Levittboccio.com  
LEVITT & BOCCIO, LLP  
423 West 55th Street  
New York, NY 10019  
Telephone: (212) 801-1104

/s/ Nicholas A. Gravante, Jr.

Nicholas A. Gravante, Jr. (admitted *pro hac  
vice*)  
nicholas.gravante@cwt.com  
Philip J. Iovieno (admitted *pro hac vice*)  
philp.iovieno@cwt.com  
CADWALADER, WICKERSHAM & TAFT LLP  
200 Liberty Street  
New York, NY 10281  
Telephone: (212) 504-6000

*Counsel for Defendants The Related  
Companies, L.P. and Related Management  
Company, L.P.*

/s/ Benjamin I. VandenBerghe

Benjamin I. VandenBerghe  
biv@montgomerypurdue.com  
Kaya R. Lurie  
klurie@montgomerypurdue.com  
MONTGOMERY PURDUE PLLC  
701 Fifth Avenue, Suite 5500  
Seattle, WA 98104-7096  
Telephone: (206) 682-7090

*Counsel for Defendant Thrive Communities  
Management, LLC*

/s/ David D. Cross

David D. Cross (admitted *pro hac vice*)  
dcross@mofo.com  
Jeffrey A. Jaeckel (admitted *pro hac vice*)  
jjaeckel@mofo.com  
Robert W. Manoso (admitted *pro hac vice*)  
rmanoso@mofo.com  
MORRISON & FOERSTER LLP  
2100 L Street, NW, Suite 900  
Washington, DC 20037  
Telephone: (202) 887-1500

Eliot A. Adelson (admitted *pro hac vice*)  
eadelson@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105  
Telephone: (415) 268-7000

Mika M. Fitzgerald (admitted *pro hac vice*)  
mfitzgerald@mofo.com  
MORRISON & FOERSTER LLP  
250 W 55th Street  
New York, NY 10019  
Telephone: (212) 468-8000

/s/ Joshua L. Burgener

Joshua L. Burgener  
jburgener@dickinsonwright.com  
DICKINSON WRIGHT PLLC  
424 Church Street, Suite 800  
Nashville, TN 37219  
Telephone: (615) 620-1757

*Counsel for Defendant UDR, Inc.*

/s/ Craig Seebald

Jessalyn H. Zeigler  
jzeigler@bassberry.com  
BASS, BERRY & SIMS, PLC  
150 Third Avenue South  
Suite 2800  
Nashville, TN 37201  
Telephone: (615) 742-6200

Craig P. Seebald (admitted *pro hac vice*)  
cseebald@velaw.com  
Stephen M. Medlock (admitted *pro hac vice*)  
smedlock@velaw.com  
Michael McCambridge (admitted *pro hac vice*)  
mmccambridge@velaw.com  
VINSON & ELKINS LLP  
2200 Pennsylvania Ave., N.W.  
Suite 500 West  
Washington, D.C. 20037  
Telephone: (202) 639-6500

Christopher W. James (admitted *pro hac vice*)  
cjames@velaw.com  
VINSON & ELKINS LLP  
555 Mission Street  
Suite 2000  
San Francisco, CA 94105  
Telephone: (415) 979-6900

*Counsel for Defendant Windsor Property  
Management Company*

/s/ Evan Fray-Witzer

Evan Fray-Witzer  
Evan@CFWLegal.com  
CIAMPA FRAY-WITZER, LLP  
20 Park Plaza, Suite 505  
Boston, MA 02116  
Telephone: (617) 426-0000

*Counsel for Defendants WinnCompanies LLC,  
and WinnResidential Manager Corp.*

/s/ Ferdose al-Taie

Ferdose al-Taie (admitted *pro hac vice*)  
faltaie@bakerdonelson.com  
BAKER, DONELSON, BEARMAN CALDWELL &  
BERKOWITZ, P.C.  
956 Sherry Lane, 20th Floor  
Dallas, TX 75225  
Telephone: (214) 391-7210

Christopher E. Thorsen (BPR # 21049)  
cthorsen@bakerdonelson.com  
BAKER, DONELSON, BEARMAN CALDWELL &  
BERKOWITZ, P.C.  
Baker Donelson Center, Suite 800  
211 Commerce Street  
Nashville, TN 37201  
Telephone: (615) 726-5600

*Counsel for Defendant ZRS Management, LLC*

/s/ James H. Mutchnik

James H. Mutchnik  
james.mutchnik@kirkland.com  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
Telephone: (312) 862-2000

*Counsel for Defendants Thoma Bravo L.P.,  
Thoma Bravo Fund XIII, L.P., and Thoma  
Bravo Fund XIV, L.P.*

/s/ Jeffrey S. Cashdan

Jeffrey S. Cashdan (admitted *pro hac vice*)  
jcashdan@kslaw.com  
Emily S. Newton (admitted *pro hac vice*)  
enewton@kslaw.com  
Lohr A. Beck (admitted *pro hac vice*)  
lohr.beck@kslaw.com  
Carley H. Thompson (admitted *pro hac vice*)  
chthompson@kslaw.com  
KING & SPALDING LLP  
1180 Peachtree Street, NE, Suite 1600  
Atlanta, GA 30309  
Telephone: (404) 572-4600

*Counsel for Defendant ECI Management, LLC*

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld